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BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
PEGGY HUDGENS-WILKINS,)
Complainant,)
vs.) No. 11-0735
COMMONWEALTH EDISON COMPANY,)
Respondent,)
COMPLAINT as to)
billing/charges in Chicago,)
Illinois.)

Chicago, Illinois
January 9, 2012

Met, pursuant to notice, at 2:00 o'clock p.m.

BEFORE:
MS. LESLIE D. HAYNES, Administrative Law Judge

1 APPEARANCES:

2 MS. PEGGY HUDGENS-WILKINS
3 12134 South Normal Avenue
4 Chicago, Illinois 60628
5 appearing pro se;

6 MARK L. GOLDSTEIN, P.C., by
7 MARK L. GOLDSTEIN and
8 MS. MONICA MERINO
9 3019 Province Circle
10 Mundelein, Illinois 60060
11 (847) 949-1340
12 for the respondent.

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			Re-	Re-	By
<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	<u>direct</u>	<u>cross</u>	<u>Examiner</u>

None

E X H I B I T S

<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
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None

1 JUDGE HAYNES: Pursuant to the direction of the
2 Illinois Commerce Commission, I now call
3 Docket 11-0735.

4 This is the complaint of
5 Peggy Hudgens-Wilkins versus Commonwealth Edison
6 Company.

7 May I have your name and address for
8 the record, please.

9 MS. HUDGENS-WILKINS: Yes. My name is Peggy
10 Hudgens-Wilkins. And my address is 12134 South
11 Normal Avenue. That's Chicago, Illinois 60628.

12 MR. GOLDSTEIN: For Commonwealth Edison
13 Company, Mark L. Goldstein, 3019 Province Circle,
14 Mundelein, Illinois 60060. My telephone number is
15 (847) 949-1340.

16 With me this afternoon is
17 Monica Merino with ComEd.

18 JUDGE HAYNES: Thank you.

19 Okay. The parties have had an
20 opportunity to talk.

21 And I'm just wondering, initially, if
22 the company provided documents to the complainant.

1 MS. MERINO: Yes, Judge. I provided the --
2 Ms. Hudgens the documents that she requested
3 regarding all the accounts that are at issue.

4 JUDGE HAYNES: Okay. And how did parties want
5 to proceed at this time?

6 MS. HUDGENS-WILKINS: Well, let me just say
7 I --

8 JUDGE HAYNES: Sure. Go ahead.

9 MS. HUDGENS-WILKINS: -- I had just discovered
10 who Mrs. Monica is. Because over these months, I
11 have been talking backwards and forwards, speaking
12 backwards and forward with ComEd, and they kept
13 saying, hey, we can't talk to you, we can't talk to
14 you. And ICC had informed me, yes, they can. It's a
15 complaint now. It's a formal complaint. You have
16 the burden of proof.

17 So I was able to call in and ask
18 questions about -- and no one had ever attached me
19 with a specific person. And just on, I think,
20 Thursday or Friday it was the same day when
21 Mr. Frederick (phonetically) reached out to
22 Ms. Monica, because after Ms. Darnel

1 (phonetically) -- I think her name is Danielle. She
2 got a little combative with me on the phone. She
3 said, well, I don't know what you are saying. We
4 can't talk to you.

5 And I said, well, ma'am, you need to
6 be very careful.

7 Because she said, you repeated
8 yourself five times.

9 And I said, I did that for a reason,
10 because you continue to tell me you can't talk to me,
11 and I'm telling you what ICC has told me. And
12 you're -- you're not allowing me to be able to ask
13 you questions about my own bill? I said, now, you
14 should be very careful and try and go and check with
15 your superior.

16 And then that's when she -- when she
17 came back to the phone and she gave me
18 Mr. Frederick's number.

19 But had I not challenged that after
20 repeating it five times, I would have just been in
21 the same situation with ComEd as I was before.
22 Because before, I got tired of calling them, asking

1 them, and they kept refusing to talk with me.

2 So when I finally -- he said, listen,
3 I'm going to reach out to her, and she will call you.

4 So, finally, she called me. She and I
5 had spoken. And I request- -- I had asked her about
6 some transfers. And then I got this through an
7 email. So I didn't really look over everything.

8 But, you know, it's just a couple of
9 issues here as you see the original complaint that I
10 have.

11 JUDGE HAYNES: And so the original complaint,
12 we are only talking about the -- if I am
13 understanding -- let me see if I understand your
14 complaint correctly.

15 The \$160 and the \$331 were credited to
16 the wrong account?

17 MS. HUDGENS-WILKINS: Well, yeah. That started
18 all the way back in April. This was a hardship
19 account. This -- oh.

20 (Interruption.)

21 JUDGE HAYNES: Let the record reflect that
22 Mr. Goldstein was on the telephone, and he was

1 disconnected.

2 Ms. Merino, are you okay continuing
3 without him, or should we wait for him to call back?

4 MS. MERINO: We can still continue.

5 JUDGE HAYNES: Okay. I don't think it was on
6 the -- your complaint, what the addresses were. I'm
7 sorry.

8 MS. MERINO: If I can brief you, Judge, of what
9 I believe is the issue?

10 JUDGE HAYNES: Well, I -- I guess -- so is
11 one -- my real question is one -- you have two
12 accounts at ComEd --

13 MS. HUDGENS-WILKINS: Well -- well, I --

14 JUDGE HAYNES: -- two accounts at issue here.

15 MS. HUDGENS-WILKINS: Yeah. It clashed with my
16 primary. Yeah, it is. It has caused an issue. It
17 has.

18 JUDGE HAYNES: Okay. And so is this an old
19 address or --

20 (Interruption.)

21 JUDGE HAYNES: Here we go.

22 Mr. Goldstein?

1 MR. GOLDSTEIN: Yes. Sorry. Somehow, another
2 call came in and knocked you off the line.

3 JUDGE: Okay.

4 I was just asking --

5 MR. GOLDSTEIN: Hello?

6 JUDGE HAYNES: Mr. Goldstein.

7 MR. GOLDSTEIN: Yes.

8 JUDGE HAYNES: Okay. I was just asking the
9 complainant, because I wasn't clear from the
10 complaint, what the two accounts were.

11 Are they an old account and a new
12 account or two accounts you have right now?

13 MS. HUDGENS-WILKINS: Yeah. You asked me about
14 which -- which is a new address, the 7 West 111, or
15 which are you --

16 JUDGE HAYNES: I'm just -- is one of the
17 addresses an old address?

18 MS. HUDGENS-WILKINS: Well, it's not -- it's
19 not an old address. It's -- my brother passed away
20 in '09.

21 JUDGE HAYNES: Okay.

22 MS. HUDGENS-WILKINS: And we didn't find out

1 about the place, that particular place. He had
2 businesses and other residents.

3 JUDGE HAYNES: And so which -- which one, which
4 address was that?

5 MS. HUDGENS-WILKINS: This is 7 West
6 111th Place.

7 JUDGE HAYNES: Okay.

8 MS. HUDGENS-WILKINS: And so --

9 JUDGE HAYNES: That was your brother's.

10 MS. HUDGENS-WILKINS: Well -- well, he was in
11 the process of purchasing that property from a
12 previous owner that had passed in '07.

13 JUDGE HAYNES: Okay.

14 MS. HUDGENS-WILKINS: So -- when we found out
15 about all of this, you know. So let me just brief
16 you on that.

17 So the only reason they came in
18 contact with this address is because I asked ComEd --
19 all of the utilities. I said, listen, if I put this
20 in my name -- because the siblings got together and
21 talked about it. I was the one --

22 JUDGE HAYNES: Yes.

1 MS. HUDGENS-WILKINS: -- out of seven that
2 decided, okay, guys, I want to deal with this.

3 And so I called all the utilities. I
4 said, listen, if I put this in my name, could it harm
5 my primary account or cause any problem, or can I be
6 responsible for any bills that come up before my
7 involvement out of the closet or anything.

8 So I asked them all of these
9 questions. They never provided me with any
10 information to suggest that, hey, if you get this in
11 your name, if it defaults or if it closes or whatever
12 happens, we have the right to transfer this.

13 Now, had they provided me with that, I
14 wouldn't have never attached my name and just would
15 have been paying it. Because I paid some bills
16 without it being in my name. No one questions why
17 you are paying this bill at this address. They don't
18 care as long as it's being paid. And so I never
19 would have attached it.

20 Now the -- this first problem, the
21 other problem was that I was granted an -- I was
22 provided a grant from CEDA. It was a hardship.

1 Working 17 years at one particular job, it
2 transferred, moved out of state. So I called all the
3 utilities.

4 And then I was told by ComEd that, you
5 qualify for hardship. You have to prove all of this.
6 And I was given two grants, \$160 and \$331.09. And
7 both of those were misapplied to the 7 West 111
8 address.

9 JUDGE HAYNES: Okay. And so is the 12134 South
10 Normal your home address?

11 MS. HUDGENS-WILKINS: That is.

12 JUDGE HAYNES: Okay. And that's where you are
13 saying the CEDA should have been applied to.

14 MS. HUDGENS-WILKINS: Right.

15 And then I got I got in touch with
16 Mr. Dawson (phonetically), which he's a deputy that
17 makes sure that CEDA does the proper paperwork; or if
18 there is some sort of dispute, he is -- his position
19 is the deputy, and he oversees these companies like
20 CEDA.

21 And so after reaching out, trying to
22 see what can I do, I -- they will -- they provide me

1 his name. This was in April.

2 And so I talked to Mr. Dawson

3 (phonetically), and it was his representative, and it

4 was also Jennifer, which is a -- was a supervisor,

5 probably still is, at CEDA. Now, she is the one who

6 handles the paperwork to ComEd about these hardship

7 grants.

8 So Dawson and I, myself, he said,

9 listen straighten this out. Call ComEd. Do what you

10 have to do. Contact Ms. -- Ms. Hudgens (sic) and get

11 this straightened out.

12 Jennifer did her part. She called me,

13 and she told me that, I'm going to call -- because

14 ComEd wouldn't give me the names of the parties.

15 They wouldn't even give me the names, as if I had no

16 right to know who handles these different

17 departments. They fought me on that, wouldn't give

18 me the names.

19 So, finally, Jennifer, which is his

20 supervisor, she called and spoke -- she had spoken

21 directly with Ms. Thomas at ComEd. And Ms. Thomas

22 requested me, she said, if you are able to get

1 someone from CEDA to call us and let us know that it
2 was misapplied, I will reverse it.

3 And that's what happened. She called
4 her, she first emailed her, she replied to the email
5 back to Jennifer. Jennifer calls me and said, well,
6 she said she is not able to get in touch with you
7 this week, but she says that she will get in touch
8 with you next week.

9 I not only allowed the next week to
10 pass, the other week to pass, and she never called
11 me. So I reached out and kept saying, listen, she is
12 letting all of this time pass, and she is not
13 responding to me.

14 Then I got them to get in touch with
15 her again. So, finally, I caught up with
16 Ms. Jennifer after going over her head, speaking to a
17 couple of managers. I told them the matter.

18 Then Ms. Thomas told me, almost like
19 she is taunting me, she said, well, I'm still not
20 going the reverse it.

21 MS. MERINO: Want to hear ComEd's point of
22 view?

1 JUDGE HAYNES: Well, I just want to make sure
2 that that is -- it is just the 160 and 331 we are
3 talking about.

4 MS. HUDGENS-WILKINS: Well, the 160 was
5 reversed back to the primary account.

6 JUDGE HAYNES: So the 160 they have given you
7 credit for on your home address?

8 MS. HUDGENS-WILKINS: Yeah. And they put it on
9 the primary. As I was told by Ms. Thomas, both of
10 them would be reversed.

11 JUDGE HAYNES: Okay. And so, then, the only
12 issue is the \$331?

13 MS. HUDGENS-WILKINS: Well, and also -- now,
14 this -- as she described while you were out, she
15 brought to my attention in June a payment was paid by
16 CEDA. And I was aware of that because I kept check
17 to see when this payment was coming through. Again,
18 it was hardship. I was monitoring everything very
19 closely.

20 So I called ComEd, I don't know what
21 day, in June, I got so many names and dates around
22 here, and they told me I would be able to make an

1 arrangement.

2 And so I wanted to get a chance to
3 look over all of my bills and see, for my records,
4 what -- you know, hoping that an arrangement will
5 come about.

6 Then when I called to make the
7 arrangement, then I was told, we can't make an
8 arrangement with you.

9 JUDGE HAYNES: Okay. So in June, another CEDA
10 payment went to the 111th Place?

11 MS. HUDGENS-WILKINS: Well, I don't know if it
12 was -- I don't know which payment that was. I don't
13 know if it was -- I don't know what -- she didn't
14 tell me what amount, so I'm not aware of what the
15 amount was in June.

16 JUDGE HAYNES: Okay. But other -- but other
17 than these CEDA payments, that's all that -- which
18 account they should be applied to, that's all we are
19 talking about here.

20 MS. HUDGENS-WILKINS: Well, right, and then the
21 198 that was transferred. Because the attorney asked
22 me, well, if both those payments go away, you still

1 owe this amount.

2 And I said, well, I understand that.

3 But you also had representatives said that I could
4 make an arrangement. And then they took that -- that
5 right away from me and then started demanding the
6 entire amount.

7 So I knew it was going to cause --

8 JUDGE HAYNES: Which account? You have to
9 be --

10 MS. HUDGENS-WILKINS: My primary account.

11 JUDGE HAYNES: Your primary account.

12 MS. HUDGENS-WILKINS: Absolutely.

13 So I was trying to make an arrangement
14 as, I was told I was able to. And then I called to
15 make that arrangement. And then I was told that
16 I -- I can't get an arrangement.

17 And then they was demanding the entire
18 amount. And I said, wait a minute, now, that's going
19 to cause a problem.

20 So that's when I called ICC. I may
21 have been talking to them, just recently --

22 JUDGE HAYNES: First you go through our

1 Consumer Services Division. And if you are not able
2 to resolve it there, then you have the formal
3 complaint.

4 MS. HUDGENS-WILKINS: Yeah. Then I called them
5 because I was being threatened. And then, obviously,
6 your service will be disconnected. And I thought
7 that was unfair, because I'm told that I can do an
8 arrangement. That -- why were you here all of these
9 months later?

10 So the attorney --

11 JUDGE HAYNES: And by "arrangement," you mean
12 making payments instead --

13 MS. HUDGENS-WILKINS: A payment arrangement.

14 JUDGE HAYNES: -- of the full amount?

15 MS. HUDGENS-WILKINS: It takes -- it considers
16 the entire amount.

17 So I went back to Ms. Thomas. Could
18 you go ahead and reverse this as you stated?

19 Because what happens, when she -- when
20 I get the 300, then they have the correct amount to
21 make arrangements under, because it's based on the
22 amount that you owe. And anytime it's higher, you

1 are going to pay more, and all of that.

2 And so I went back to her. She
3 refused to reverse it and said she wasn't going to do
4 it.

5 And then, in closing, she told me
6 that, well, if I do reverse it, it's not going to go
7 back to you, it's going back to the state.

8 But, initially, she told me that she
9 had no control over the state's money, and that's why
10 she had me call CEDA, to have them call. Then she
11 took all of that back.

12 JUDGE HAYNES: And are you remaining current on
13 your bills?

14 MS. HUDGENS-WILKINS: Well -- well, no. I'm
15 not current because of when I tried to make the
16 arrangement -- now, one can say, well, you could have
17 paid. But people need to be held accountable. If
18 you are going to power play, it's almost like they
19 were trying to hurt me for a reason. Before, it was
20 any thousands or any hundreds all the way back in
21 April when the deputy talked to ComEd. Why did she
22 go -- and I said, well, 160 has been reversed. Why

1 are you arguing about the one? So I needed this 300
2 hardship so I can factor in my arrangement, and we
3 never would have gotten to this point.

4 So I know one can argue, hey, you
5 could have been paying. But why did they take the
6 right away after telling me that I could get an
7 arrangement?

8 So is that fair, for, supposedly, a
9 reputable company -- and I'm writing this down. Now
10 it looks like the customer is the bad guy because,
11 now, you haven't paid in nine months.

12 Well --

13 JUDGE HAYNES: Well --

14 MS. HUDGENS-WILKINS: -- if people don't
15 change -- um-hmm.

16 JUDGE HAYNES: Nothing looks like a bad guy.
17 It's --

18 MS. HUDGENS-WILKINS: Right.

19 JUDGE HAYNES: -- what my power here is. In
20 order to stop you from getting cut off, you have to
21 pay the current amount on each bill. When you get
22 the current amount, you have to pay that. Otherwise,

1 our rule only applies to what -- the amount that you
2 are disputing.

3 And so you do have to pay the current
4 amount even while this complaint is pending.

5 MS. HUDGENS-WILKINS: Well, that was told to me
6 by the Commission. But they didn't say, if it's not
7 paid, then they can cut you off. Because I --

8 JUDGE HAYNES: I'm not -- I'm not --

9 MS. HUDGENS-WILKINS: Okay.

10 JUDGE HAYNES: -- giving them, permission to
11 cut you off. I'm just letting you know --

12 MS. HUDGENS-WILKINS: Sure.

13 JUDGE HAYNES: -- that you have to pay the
14 current charges while this is pending.

15 MS. HUDGENS-WILKINS: Yeah. But the current
16 charges was -- was -- was so high at that time --
17 because I'm looking for my grant. So --

18 JUDGE HAYNES: But right now --

19 MS. HUDGENS-WILKINS: -- I understand.

20 JUDGE HAYNES: -- the current charge right now,
21 when you get your next bill --

22 MS. HUDGENS-WILKINS: The current charge is

1 being the monthly --

2 JUDGE HAYNES: The monthly --

3 MS. HUDGENS-WILKINS: -- service for the month.

4 JUDGE HAYNES: For the month of, what is this,

5 January, now. So for the past 30 days, you have to

6 pay that bill, not what was carried over from

7 earlier.

8 MS. MERINO: That's \$37.49.

9 JUDGE HAYNES: So the current charge for this

10 bill would be 37.49, she says.

11 MS. HUDGENS-WILKINS: Oh.

12 JUDGE HAYNES: So that's what -- while this

13 complaint is pending, you do have to pay that amount.

14 MS. HUDGENS-WILKINS: Oh, sure. I will

15 definitely pay that --

16 JUDGE HAYNES: Okay.

17 MS. HUDGENS-WILKINS: -- amount.

18 JUDGE HAYNES: Okay. Just making sure that --

19 that's not always clear to customers when they come

20 in.

21 MS. HUDGENS-WILKINS: Because I don't even see

22 that in any of my bills. But it's probably somewhere

1 around. I have to look. I will --

2 MS. MERINO: You have a copy of your most
3 current bill?

4 I can show you.

5 MS. HUDGENS-WILKINS: Well --

6 JUDGE HAYNES: It's always a line item on your
7 bills. There is all the back stuff.

8 MS. HUDGENS-WILKINS: Yeah. It wasn't that
9 legible probably for whatever reason. But I will
10 have an opportunity to look over it, because I have
11 just gotten all of this information --

12 JUDGE HAYNES: Okay.

13 MS. HUDGENS-WILKINS: -- from Mrs. Monica in
14 the last days. And then I -- I was in Texas. So I
15 came back late last evening. So --

16 JUDGE HAYNES: That's fine.

17 MS. HUDGENS-WILKINS: -- I --

18 MR. GOLDSTEIN: Can we find out, before the
19 next time that we meet, what amount of money
20 Ms. Wilkins-Hudgens -- Ms. Hudgens-Wilkins is
21 actually disputing --

22 JUDGE HAYNES: Well, it sounds like the CEDA

1 amounts.

2 MR. GOLDSTEIN: -- the amounts?

3 JUDGE HAYNES: Do have an actual dollar figure
4 on the CEDA?

5 MS. HUDGENS-WILKINS: Well -- well, the
6 attorney did ask me, he said, if the \$331.09 and the
7 \$198 go away, what will you owe?

8 And I said, well, I can't just throw
9 out an amount there because we are not factoring in
10 the fact that they told me that I could have an
11 arrangement considered that I was in hardship, and
12 they caused this to spiral out of control because of
13 not doing what they said.

14 And one can argue, hey, so now it
15 looks like nine months has passed and you haven't did
16 anything.

17 JUDGE HAYNES: Mr. Goldstein, we can agree that
18 it can be difficult, especially if late charges and
19 other fines are added on.

20 MS. MERINO: And can ComEd please brief the
21 judge --

22 JUDGE HAYNES: Of course.

1 MS. MERINO: -- about our position?

2 JUDGE HAYNES: I just wanted to -- but it

3 sounds like it's just the CEDA amounts, whatever

4 those might be. Perhaps she doesn't have all the

5 records yet.

6 And would you like to respond, now, to

7 the Complainant?

8 And is it going to be Mr. Goldstein or

9 is it going to be Ms. Merino?

10 MS. MERINO: I think it's going to be me --

11 JUDGE HAYNES: Okay.

12 MS. MERINO: -- Judge.

13 JUDGE HAYNES: Go ahead.

14 MS. MERINO: Okay. So it looks here -- and I

15 spoke to Cynthia Thomas, the person from ComEd that

16 does the financial assistance programs. And there

17 were two active accounts at the time that Ms. Hudgens

18 applied for financial assistance. And those two

19 active accounts were on her name, and they were both

20 active.

21 Let me just start with that premise.

22 And according to what Ms. Thomas told

1 me, is that the customer provided a copy of the bill
2 with the address of that 7 West 111th Place, Chicago,
3 and presented it to CEDA. And, based on that
4 address, CEDA approved the funds.

5 JUDGE HAYNES: Okay. So that's --

6 MS. MERINO: So now we have that active
7 account. We have two active accounts. We have the
8 active account Normal Avenue --

9 JUDGE HAYNES: Um-hmm.

10 MS. MERINO: -- and we have the active account
11 on 111th Place.

12 JUDGE HAYNES: Okay.

13 MS. MERINO: Two both residential accounts,
14 active accounts at this time, both under her name.

15 JUDGE HAYNES: Which is --

16 MS. HUDGENS-WILKINS: Now can I respond?

17 MS. MERINO: No, not yet.

18 MS. HUDGENS-WILKINS: Well, let the judge say
19 no.

20 MS. MERINO: So then on January 18 of 2011,
21 LIHEAP made a payment to the 111th Place account --

22 JUDGE HAYNES: Um-hmm.

1 MS. MERINO: -- the active account at that
2 point, for \$160.

3 And it also -- on February 25 of 2011,
4 there was a residential special hardship amount
5 placed on the 111th Place active account under her
6 name for \$331.09.

7 JUDGE HAYNES: Okay. Everything she just said.

8 MS. MERINO: Yes.

9 JUDGE HAYNES: Okay.

10 MS. MERINO: So I guess, at some point, this
11 account finals on 8-15-2011 the 111th Place account
12 finals.

13 JUDGE HAYNES: And by "finals," you mean
14 what's --

15 MS. MERINO: It's closed.

16 JUDGE HAYNES: -- closed?

17 Okay.

18 MS. MERINO: And it closes with an amount
19 outstanding of \$198.17.

20 JUDGE HAYNES: Okay.

21 MS. MERINO: And what happens is -- pursuant to
22 the Illinois Administrative Code, is that this amount

1 owing outstanding on this final account, ComEd then
2 attaches it to the Normal Avenue account that's open.
3 And, at some point, that \$160 LIHEAP payment gets
4 applied back to the Normal Avenue account.

5 But, nevertheless, after all is said
6 and done, the \$200 gets transferred because it's the
7 outstanding balance that's owed.

8 Whether or not that hardship would
9 have gone -- whether it would have gone to Normal
10 Avenue, right, or it would have gone to 111th Place,
11 you still have an amount outstanding, no matter what,
12 and that amount outstanding would have transferred,
13 either way, to the active account.

14 JUDGE HAYNES: Okay.

15 MS. MERINO: And I am looking here at the
16 account that's active right now. There is a balance
17 due of 18 -- \$1,000 and 103 cents --

18 MR. GOLDSTEIN: 1800.

19 MS. MERINO: \$1800.

20 And the last payment that we received
21 on that account was the LIHEAP payment dated
22 6-22-2011. And I believe that amount, the 6-22-11,

1 it is the -- the LIHEAP that was transferred over
2 from the other account.

3 JUDGE HAYNES: Okay.

4 MS. MERINO: And before that, the payment that
5 we received from the customer was on February 15 of
6 2011.

7 JUDGE HAYNES: Okay. I was just trying to get
8 an understanding of what the dispute was about.

9 MS. HUDGENS-WILKINS: Now, can I say one thing,
10 that she said that she didn't explain when she said
11 that both of them are active, and I -- Miss Thomas,
12 Cynthia Thomas, said that I provided CEDA with 7 West
13 111th, although we -- she and I -- what you left
14 out -- I explained that to her very carefully when
15 she left out that part which is very important. She
16 asked me, how did they get that address, then?

17 And I shared with her how they got
18 that address.

19 And how they got that address is
20 because I called before even applying for it, and I
21 asked the question, I said, does the state pay more
22 than one payment, recognize more than one resident?

1 I was told by a representative either
2 three or four or five -- or four or five times, as
3 long as it's in your name.

4 But, however, when I went down with
5 both my bills from 7 West 111 and 12134 South Normal
6 to CEDA, the representative, his name Syed, or
7 something to that effect, he said, that's
8 misinformation.

9 So I said, oh, wow.

10 And then he said, well, which do you
11 want it to be applied to?

12 And I clearly said my primary.

13 And I even have the proof that I tried
14 to fax over to Cynthia that has my name on it,
15 ComEd/hardship, it has my name, Peggy Hudgens, my
16 address, 12134 South Normal, which is an implication
17 that the funds are to go to that address, and it has
18 the wrong account number on it. It has the account
19 number attached that's 7 West 111th.

20 So then CEDA said, fax this back over.
21 And I did. And I was told all of this would be
22 reversed. And I still have that paper right now.

1 JUDGE HAYNES: Okay.

2 So today I am trying to understand
3 what the outstanding issues are here in this case.

4 And it sounds like the parties have
5 exchanged their paperwork.

6 However, if either of you think of
7 something else you want, you need to contact ComEd's
8 attorneys.

9 You have mentioned that you've had
10 trouble talking to people. If you need documents
11 now, you would need to talk to either Ms. Merino or
12 Mr. Goldstein.

13 MS. HUDGENS-WILKINS: Okay.

14 JUDGE HAYNES: But other than that, it sounds
15 like, at this point, we just need to schedule the
16 actual evidentiary hearing when ComEd will bring in
17 their witnesses, and you will be able to -- you will
18 have had an opportunity to go through all the
19 paperwork they have provided you and present your
20 case, all your evidence that you have, your
21 paperwork.

22 And if you are going to bring

1 witnesses, you would bring them in at that time.

2 And so I think that all we would need
3 to do, then, is pick a date for actually doing that.

4 And then, at that hearing, you bring
5 all your evidence, and they will bring all theirs.
6 And you will have an opportunity to provide your
7 testimony. And then they will cross-examine you.
8 And then they will present their witnesses and their
9 testimony. And you will have an opportunity to
10 cross-examine their witnesses.

11 And after that hearing takes place,
12 then I will issue a written ruling in this matter.

13 And do you have an idea of when you
14 would be available to go to an actual evidentiary
15 hearing?

16 Usually about a month out from now,
17 four to six week, something like that?

18 MS. HUDGENS-WILKINS: From now?

19 Well, I have just picked up a
20 position, and it's a demonstrator in stores. So I
21 can be anywhere in the state or -- but if I -- if you
22 give me a date -- like February is booked, you know.

1 So this is a good thing.

2 MR. GOLDSTEIN: May I suggest, Judge --

3 JUDGE HAYNES: Sure.

4 MR. GOLDSTEIN: -- March 20th as a date?

5 JUDGE HAYNES: March 20th.

6 Do you have your calendar with you?

7 MS. HUDGENS-WILKINS: I do. I'll jot it down,

8 and then I will transfer it to my calendar as I

9 leave.

10 MS. MERINO: And, Ms. Hudgens, did you receive

11 the letter from Mark Goldstein, the attorney, that

12 said that he is the ComEd attorney handling the

13 matter?

14 MS. HUDGENS-WILKINS: Absolutely.

15 MS. MERINO: Okay.

16 MS. HUDGENS-WILKINS: Absolutely.

17 MS. MERINO: So you did have somebody to speak

18 to when he filed that appearance.

19 MS. HUDGENS-WILKINS: Well, I didn't know I

20 should speak to the attorney. I was calling ComEd

21 before I even --

22 JUDGE HAYNES: Sure.

1 MS. HUDGENS-WILKINS: -- you know, I didn't
2 know that I needed to -- I thought the attorney was
3 just to represent when he comes here. So I don't --
4 MS. MERINO: Any questions --
5 MS. HUDGENS-WILKINS: -- automatically know
6 that --
7 MS. MERINO: Any questions from today to the
8 evidentiary hearing that you have, please present
9 them to Mark.
10 MS. HUDGENS-WILKINS: Oh, I understand that
11 now.
12 MS. MERINO: And any information that you
13 require from ComEd, be sure to contact him so we can
14 get that information for you.
15 MS. HUDGENS-WILKINS: Absolutely.
16 Does that include, if it becomes
17 necessary, a recorded -- pulling calls or --
18 MS. MERINO: You would have to speak to Mark
19 about that.
20 JUDGE HAYNES: Mr. Goldstein.
21 MS. HUDGENS-WILKINS: The attorney?
22 MS. MERINO: Yeah.

1 MS. HUDGENS-WILKINS: Okay.

2 JUDGE HAYNES: Yeah.

3 Well, are you -- what calls do you
4 have in mind?

5 Any particular call you are thinking
6 of, or do you --

7 MS. HUDGENS-WILKINS: Well -- well, you know, I
8 just want to say this:

9 I'm not necessarily certain about
10 that. But if there was any way that -- just like he
11 said, if the \$331 go away, let's disclose on the
12 record saying this, and the 198, and then factor in
13 the fact that they told me I can have an arrangement,
14 and then they took it away, and they was threatening
15 to cut off the service when I am in this hardship,
16 and people just saying whatever they want, if that
17 can be factored in, and you come to a fair conclusion
18 as to hold them accountable, and we come to a number
19 deducting that -- those amounts that he said that
20 could possibly go away, then --

21 JUDGE HAYNES: It sounds like you'd be willing
22 to talk with Mr. Goldstein --

1 MS. HUDGENS-WILKINS: Absolutely. Maybe
2 there's no need to.

3 JUDGE HAYNES: -- and we could avoid this.

4 MS. HUDGENS-WILKINS: Absolutely. If it's
5 possible.

6 JUDGE HAYNES: And I definitely encourage that.
7 But in the event that doesn't work
8 out --

9 MS. HUDGENS-WILKINS: March 20th.

10 JUDGE HAYNES: -- we'll put March 20th on the
11 calendar.

12 MS. HUDGENS-WILKINS: Um-hmm.

13 JUDGE HAYNES: In the morning?

14 MR. GOLDSTEIN: Yes.

15 JUDGE HAYNES: Okay. 10:00 a.m.?

16 MR. GOLDSTEIN: How about 11:00, Judge?

17 JUDGE HAYNES: Okay. March 20th at 11:00.
18 And we will call that the evidentiary
19 hearing.

20 Did you have any questions,
21 Ms. Wilkins -- I'm sorry -- am I supposed to call you
22 Ms. Hudgens?

1 MS. HUDGENS-WILKINS: Hudgens. I don't care.

2 JUDGE HAYNES: Okay.

3 Ms. Hudgens, did you have any

4 questions about the procedure that would happen that

5 day?

6 MS. HUDGENS-WILKINS: No.

7 Just -- you know, I wouldn't have any

8 witnesses other than some calls and just some

9 numbers, jot some names jotted down of so many people

10 I have spoken with.

11 JUDGE HAYNES: Okay.

12 MS. HUDGENS-WILKINS: And, no. That's about

13 it. I understand.

14 JUDGE HAYNES: So you would go first and

15 present your story. And so it's always good to think

16 ahead of time what you are going to say that day.

17 And then they will have an opportunity to question

18 you.

19 MS. HUDGENS-WILKINS: Oh, absolutely.

20 JUDGE HAYNES: Okay.

21 Okay.

22 Anything else?

1 MR. GOLDSTEIN: I have nothing else, Judge.

2 JUDGE HAYNES: Okay.

3 Then this is continued until March

4 20th at 11:00 a.m.

5 MR. GOLDSTEIN: Thank you.

6 JUDGE HAYNES: Thank you.

7 MS. HUDGENS-WILKINS: Thank you.

8 MS. MERINO: Thank you, everybody.

9 (Whereupon, the above-entitled

10 matter was continued to March

11 20, 2012, at 11:00 o'clock

12 a.m.)

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